

REMARKS

Reconsideration of the present application and entry of the response to restriction/election requirement are respectfully requested. Claims 1 to 41 are currently pending, and no claims have been amended.

The Office Action mailed July 23, 2004 addressed claims 1 to 41. In the Office Action, the Examiner stated that Restriction was required under 35 U.S.C. 121. The Examiner stated that the claims are directed to two distinct inventions as follows: Group 1) claims 1 to 18, drawn to a golf ball; and Group 2) claims 19 to 41, drawn to a method of printing indicia on a golf ball. The Examiner further stated that the claims are directed to the following patentably distinct species: Group 1) a – transfer medium comprises a low surface energy material; b – transfer medium comprises silicone; c – transfer medium comprises a fluoropolymer; d – transfer medium comprises a polypropylene; e – transfer medium comprises a polymer resin; f – transfer medium comprises resin components; g – transfer medium comprises a silicone-containing pad; h – transfer medium comprises a silicone-coated sheet; i – ink composition is an aqueous-based formulation; and j – ink composition is a nonaqueous-based formulation; and Group 2) a – indicia printed directly on the receiving layer; b – indicia printed subsequently on the receiving layer; c – receiving layer is a primer coating layer; d – receiving layer is a cover layer; e – ink composition is an aqueous-based formulation; f – ink composition is a nonaqueous-based formulation; and g – ink composition is a polymer resin. The Examiner further stated that Applicant is required under 35 U.S.C. § 121 to elect a single species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. The Examiner concluded that claim 1 in Group 1 and claims 19, 32 and 34 in Group 2 are generic.

Applicants elect to prosecute Group 1) claims 1 to 18, drawn to a golf ball with traverse. Applicants respectfully submit that claims 2 to 18 read on claim 1, which is generic. Applicants elect to prosecute Group 1, species b, with traverse. Applicants respectfully submit that all of the species can be searched at the same time. Applicants respectfully submit that at least claims 1, 4, 9, 11, 12, 13 and 14 read on Group 1, species b. Applicants respectfully request that the Examiner also consider claims 15 and 16, which are also directed to a transfer medium comprising silicone, and claim 3, wherein the transfer medium comprises a low surface energy material.

The Examiner is invited to telephone Applicants' attorney if it is deemed that a telephone conversation will hasten prosecution of the application.

CONCLUSION

Applicants respectfully request reconsideration of the restriction requirement and consideration of Applicants' remarks. Applicants respectfully request allowance of claims 1 to 41, the claims currently pending.

Respectfully submitted,

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